

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

SCOTT TURNAGE, CORTEZ D.)
BROWN, DEONTAE TATE, JEREMY S.)
MELTON, ISSACCA POWELL, KEITH)
BURGESS, and TRAVIS BOYD on behalf)
of themselves and all similarly situated)
persons,)

Plaintiffs,)

v.)

BILL OLDHAM, in his individual capacity)
and in his official capacity as the Sheriff of)
Shelby County, Tennessee; ROBERT)
MOORE, in his individual capacity and in)
his official capacity as the Jail Director of)
Shelby County, Tennessee; CHARLENE)
MCGHEE, in her individual capacity and)
in her official capacity as the Assistant)
Chief of Jail Security of Shelby County,)
Tennessee; DEBRA HAMMONS, in her)
individual capacity and in her official)
capacity as the Assistant Chief of Jail)
Programs of Shelby County, Tennessee;)
SHELBY COUNTY, TENNESSEE, a)
Tennessee municipality; and TYLER)
TECHNOLOGIES, INC., a foreign)
corporation,)

Defendants.)

Civil Action No.
2:16-cv-02907-SHM-tmp
Jury Demanded

**DEFENDANTS SHERIFF BILL OLDHAM, ROBERT MOORE, CHARLENE
MCGHEE, DEBRA HAMMONS, SHELBY COUNTY, TENNESSEE AND TYLER
TECHNOLOGIES, INC.'S JOINT MOTION FOR EXTENSION OF TIME TO
ANSWER OR OTHERWISE RESPOND TO THE AMENDED COMPLAINT AND
PLAINTIFFS' AND DEFENDANTS' JOINT MOTION FOR EXTENSION OF TIME
TO SERVE INITIAL DISCLOSURES**

Defendants Sheriff Bill Oldham, Robert Moore, Charlene McGhee, Debra Hammons, Shelby County, Tennessee and Tyler Technologies, Inc. pursuant to FED. R. CIV. P. 6 and 12 and other applicable provisions of law, move the Court to extend to April 14, 2017, their time to answer or otherwise respond to the Amended Consolidated Class Action Complaint (“Amended Complaint”) filed by Plaintiffs.

The Plaintiffs and Defendants pursuant to FED. R. CIV. P. 6 and 12 and other applicable provisions of law, also moves the Court to extend to April 20, 2017, their time to serve their initial disclosures. In support of these Motions, the parties state as follows:

MEMORANDUM OF FACTS AND LAW IN SUPPORT OF MOTION

1. The Court entered an Order Granting Motion to Consolidate Cases (“Order”) on March 13, 2017. (D.E. 36)

2. In this Order, Plaintiffs must file their consolidated complaint by March 24, 2017. Plaintiffs filed their amended complaint on March 24, 2017. (D.E. 43)

3. According to the Order, each named Defendant must file their answer or otherwise respond by April 7, 2017. (D.E. 36)

4. This is a complex proposed class action lawsuit filed on behalf of an alleged class that exceeds 1000 members. (D.E. 43, Amended Complaint, ¶83)

5. Defendants Sheriff Bill Oldham, Robert Moore, Charlene McGhee, Debra Hammons, Shelby County, Tennessee and Tyler Technologies, Inc. need additional time to investigate, review and analyze the allegations in the Amended Complaint and obtain the appropriate records to respond to the allegations in the Amended Complaint.

6. The Court entered a Scheduling Order on February 22, 2017. (D.E. 37)

7. Pursuant to the Scheduling Order, the parties' initial disclosures are due April 13, 2017.

8. Due to the numerous individuals involved with the planning, review, approval and implementation of the computer system, the review of numerous documents regarding the lawsuit and discussions with potential witnesses and parties, the Plaintiffs and Defendants need additional time to serve their initial disclosures.

9. Pursuant to Local Rule 7.2(a)(1)(B), the undersigned counsel for Defendants Sheriff Bill Oldham, Robert Moore, Charlene McGhee, Debra Hammons and Shelby County, Tennessee, consulted with Frank Watson, Plaintiffs' counsel, regarding these extensions.

10. The undersigned counsel, with permission from Bradley Trammell, counsel for Tyler Technologies, Inc., consulted with Mr. Watson regarding the extensions for Tyler Technologies, Inc.

11. Mr. Watson agreed to the extensions of time.

12. The Motions for Extension of Time are not intended to delay the lawsuit.

13. A proposed Order granting the Motions will be e-mailed to the Court for its consideration.

Therefore, Defendants Sheriff Bill Oldham, Robert Moore, Charlene McGhee, Debra Hammons, Shelby County, Tennessee and Tyler Technologies, Inc. request until April 14, 2017 to file an answer or otherwise respond.

Therefore, Plaintiffs and Defendants request until April 20, 2017 to serve their initial disclosures.

Respectfully submitted,

/s/Odell Horton, Jr.
Odell Horton, Jr. (# 12426)
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Attorney for Defendants Sheriff Bill Oldham, Robert Moore, Charlene McGhee, Debra Hammons and Shelby County, Tennessee

/s/ Bradley E. Trammell
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Attorney for Defendant Tyler Technologies, Inc.

/s/ Frank L. Watson
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Attorney for Plaintiffs Scott Turnage, Cortez D. Brown, Deontae Tate, Jeremy S. Melton, Issacca Powell, Keith Burgess and Travis Boyd

CERTIFICATE OF CONSULTATION

The undersigned counsel for Defendants Sheriff Bill Oldham, Robert Moore, Charlene McGhee, Debra Hammons and Shelby County, Tennessee pursuant to Local Rule 7.2 (a)(1)(B) certifies as follows:

1. On April 6, 2017, with permission from Bradley Trammell, counsel for Defendant Tyler Technologies, Inc., I spoke with Frank Watson, Co-Counsel for Plaintiffs, by telephone and requested a seven (7) day extension of time from April 7, 2017 to April 14, 2017 for all named defendants to file an answer or otherwise respond to the amended complaint.
2. Mr. Watson agreed to the seven (7) day extension of time for all named defendants.
3. During this telephone conversation we discussed the deadline for initial disclosures.
4. We agreed all named parties may have a seven (7) day extension of time from April 13, 2017 to April 20, 2017 to serve their initial disclosures.

CERTIFICATE OF SERVICE

I certify that the foregoing is being filed via the Court's ECF system this 7th day of April, 2017, for service on all persons registered in connection with this case.

/s/Odell Horton, Jr.
Odell Horton, Jr.